

# Calendar No. 110

117TH CONGRESS  
1ST SESSION

# S. 812

To direct the Secretary of State to develop a strategy to regain observer status for Taiwan in the World Health Organization, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 17 (legislative day, MARCH 16), 2021

Mr. MENENDEZ (for himself, Mr. INHOFE, Mr. COONS, and Mr. CRUZ) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

JULY 28, 2021

Reported by Mr. MENENDEZ, without amendment

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## A BILL

To direct the Secretary of State to develop a strategy to regain observer status for Taiwan in the World Health Organization, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. PARTICIPATION OF TAIWAN IN THE WORLD**  
4                   **HEALTH ORGANIZATION.**

5       (a) FINDINGS.—Congress makes the following find-  
6       ings:

1                         (1) The World Health Organization (WHO) is  
2 a specialized agency of the United Nations, charged  
3 with coordinating health efforts within the United  
4 Nations system. The World Health Assembly  
5 (WHA) is the decision-making body of the WHO,  
6 which convenes annually in May to set the policies  
7 and priorities of the organization. Statehood is not  
8 a requirement for attendance at the WHA, and nu-  
9 merous observers, including non-members and non-  
10 governmental organizations, attended the most re-  
11 cent virtual WHA in May 2020.

12                         (2) Taiwan began seeking to participate in the  
13 WHO as an observer in 1997. In 2009, with strong  
14 support from successive United States Administra-  
15 tions, Congress, and like-minded WHO Member  
16 States, and during a period of improved Cross-Strait  
17 relations, Taiwan received an invitation to attend  
18 the WHA as an observer under the name “Chinese  
19 Taipei”. Taiwan received the same invitation each  
20 year until 2016, when following the election of Presi-  
21 dent Tsai-Ing Wen of the Democratic Progressive  
22 Party, Taiwan’s engagement in the international  
23 community began facing increased resistance from  
24 the People’s Republic of China (PRC). Taiwan’s in-  
25 vitation to the 2016 WHA was received late and in-

1       cluded new language conditioning Taiwan’s participation on the PRC’s “one China principle”. The  
2       WHO did not invite Taiwan to attend the WHA as  
3       an observer in 2017, 2018, 2019, or 2020.

5                     (3) Taiwan remains a model contributor to world health, having provided financial and technical  
6       assistance to respond to numerous global health  
7       challenges. Taiwan has invested over  
8       \$6,000,000,000 in international medical and humanitarian aid efforts impacting over 80 countries since  
9       1996. In 2014, Taiwan responded to the Ebola crisis  
10      by donating \$1,000,000 and providing 100,000 sets  
11      of personal protective equipment. Through the Global  
12      Cooperation and Training Framework, the United  
13      States and Taiwan have jointly conducted training  
14      programs for experts to combat MERS, Dengue  
15      Fever, and Zika. In 2020, after successfully containing  
16      the spread of the novel coronavirus within its  
17      borders while upholding democratic principles, Taiwan  
18      generously donated millions of pieces of personal  
19      protective equipment and COVID–19 tests to  
20      countries in need. These diseases know no borders,  
21      and Taiwan’s needless exclusion from global health  
22      cooperation increases the dangers presented by global  
23      pandemics.

1                             (4) Taiwan's international engagement has  
2 faced increased resistance from the PRC. Taiwan  
3 was not invited to the 2016 Assembly of the Inter-  
4 national Civil Aviation Organization (ICAO), despite  
5 participating as a guest at the organization's prior  
6 summit in 2013. Taiwan's requests to participate in  
7 the General Assembly of the International Criminal  
8 Police Organization (INTERPOL) have also been  
9 rejected. In May 2017, PRC delegates disrupted a  
10 meeting of the Kimberley Process on conflict dia-  
11 monds held in Perth, Australia, until delegates from  
12 Taiwan were asked to leave. Since 2016, the Demo-  
13 cratic Republic of São Tomé and Príncipe, the Re-  
14 public of Panama, the Dominican Republic, Burkina  
15 Faso, the Republic of El Salvador, the Solomon Is-  
16 lands, and the Republic of Kiribati have terminated  
17 longstanding diplomatic relationships with Taiwan  
18 and granted diplomatic recognition to the PRC.

19                             (5) Congress has established a policy of support  
20 for Taiwan's participation in international bodies  
21 that address shared transnational challenges, par-  
22 ticularly in the WHO. Congress passed H.R. 1794  
23 in the 106th Congress, H.R. 428 in the 107th Con-  
24 gress, and S. 2092 in the 108th Congress to direct  
25 the Secretary of State to establish a strategy for,

1 and to report annually to Congress on, efforts to obtain observer status for Taiwan at the WHA. Congress also passed H.R. 1151 in the 113th Congress, directing the Secretary to report on a strategy to gain observer status for Taiwan at the ICAO Assembly, and H.R. 1853 in the 114th Congress, directing the Secretary to report on a strategy to gain observer status for Taiwan at the INTERPOL Assembly. However, since 2016, Taiwan has not received an invitation to attend any of these events as an observer.

12 (b) AUGMENTATION OF REPORT CONCERNING THE  
13 PARTICIPATION OF TAIWAN IN THE WORLD HEALTH OR-  
14 GANIZATION.—

15 (1) IN GENERAL.—Subsection (c) of section 1 of the Act entitled, “To address the participation of Taiwan in the World Health Organization” (Public Law 108–235; 22 U.S.C. 290 note) is amended by adding at the end the following new paragraph:

20 “(3) An account of the changes and improvements the Secretary of State has made to the United States plan to endorse and obtain observer status for Taiwan at the World Health Assembly, following any annual meetings of the World Health

1       Assembly at which Taiwan did not obtain observer  
2       status.”.

3                     (2) EFFECTIVE DATE.—The amendment made  
4       by paragraph (1) shall take effect and apply begin-  
5       ning with the first report required under subsection  
6       (c) of section 1 of the Act entitled, “To address the  
7       participation of Taiwan in the World Health Organi-  
8       zation” (Public Law 108–235; 22 U.S.C. 290 note)  
9       that is submitted after the date of the enactment of  
10      this Act.



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